

**FOX • ROTHSCHILD LLP**

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DATE: AUGUST 31, 2006

**FACSIMILE TRANSMITTAL SHEET**

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Patent Department	U.S. Patent & Trademark Office	571-273-8300	571-272-1000
FROM:	PHONE NUMBER:	EMAIL:	BILLING NUMBER:
John P. Blasko	(609) 895-6639	jblasko@foxrothschild.com	1149
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NOTES/COMMENTS:

US Patent Appln 10/551,569; filed April 21, 2004; McGuigan, Christopher, for "Heterocyclic Compounds For Use in the Treatment of Viral Infections"

1. Transmittal Form (1 page)
2. Copy of Notification of Missing Requirements Under 35 U.S.C. 371 (2 pages)
3. Response Under 37 C.F.R. § 1.53(b) (2 pages)
4. Petition for Extension of Time (1 page)
5. Declaration (4 pages)

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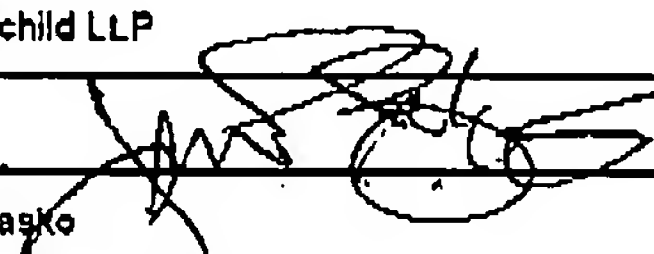
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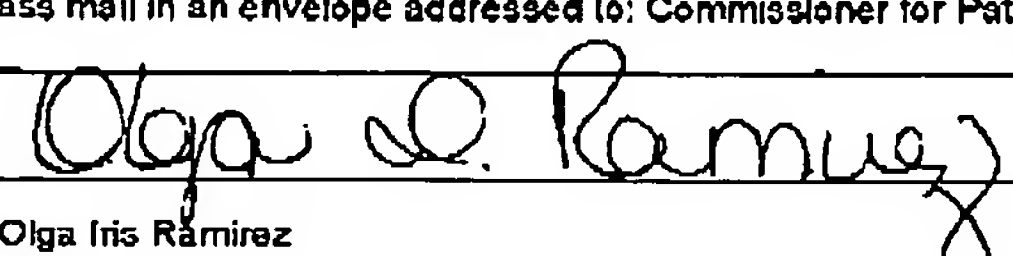
<b>TRANSMITTAL FORM</b>	Application Number	10/551,569
	Filing Date	April 21, 2004
	First Named Inventor	McGuigan, Christopher
	Art Unit	Unknown
	Examiner Name	Unknown
(to be used for all correspondence after initial filing)		
Total Number of Pages in This Submission	Attorney Docket Number	05794.00002

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Copy of Notification of Missing Requirements Under 35 U.S.C. 371 Declaration of Inventors
<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;">Remarks</div>		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Fox Rothschild LLP		
Signature			
Printed name	John P. Blasko		
Date	October 13, 2006	Reg. No.	31,149

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Olga Iris Ramirez	Date	October 13, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/551,569	McGuigan Christopher	05794.00002

INTERNATIONAL APPLICATION NO.

PCT/GB04/01687

I.A. FILING DATE

PRIORITY DATE

04/21/2004

04/25/2003

29880  
FOX ROTHSCHILD LLP  
PRINCETON PIKE CORPORATE CENTER  
997 LENOX DRIVE, BUILDING #3  
LAWRENCEVILLE, NJ 08648

CONFIRMATION NO. 3842

371 FORMALITIES LETTER

\*OC000000019828659\*

Date Mailed: 08/02/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/30/2005
- Copy of the International Search Report filed on 09/30/2005
- Preliminary Amendments filed on 09/30/2005
- Information Disclosure Statements filed on 12/28/2005
- Oath or Declaration filed on 09/30/2005
- U.S. Basic National Fees filed on 09/30/2005
- Priority Documents filed on 09/30/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the Inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - The oath is not executed. The 3rd inventor's last name is spelled differently on the declaration than on the international application. Please clarify.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

OCT 13 2006

Page 2 of 2

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

Telephone: (703) 308-9140 EXT 211

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/551,569	PCT/GB04/01687	05794.00002

FORM PCT/DO/EO/905 (371 Formalities Notice)

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FOX ROTHSCHILD LLP

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DIGA RAMIREZ Diga Ramirez 10/13/06  
Printed Name Signature Date

Attorney Docket No. 05794.00002

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**U.S. National Phase Application of  
PCT/GB2004/001687**

First Named Inventor  
McGuigan, Christopher

Application Serial No.: 10/551,569

**I.A. Filing Date: April 4, 2004**

**For: HETEROCYCLIC COMPOUNDS FOR USE IN  
THE TREATMENT OF VIRAL INFECTIONS**

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**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER UNDER 35 U.S.C. 371 IN THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Sir:

This response is being filed, via facsimile, in response to the office action mailed August 2, 2006. The declaration of the inventors is hereby submitted accordingly.

A Petition to extend the time for response by one (1) month to include November 2, 2006, is being filed concurrently herewith.

Appl. No. 10/551,569  
Reply to Office Action of August 2, 2006

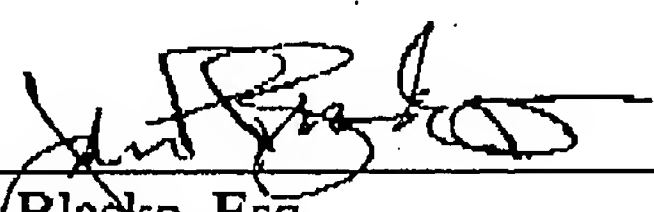
**CONCLUSION**

Applicant believes that Applicant has fully responded to the Examiner's concerns. Applicant requests that any questions concerning this matter be directed to the undersigned at (609) 844-3020.

Please charge any deficiency and/or credit any overpayment to Deposit Account No. 50-1943. Thank you for your kind consideration in this matter.

Respectfully submitted,

Date: October 13, 2006

  
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